

1   **I.     INTRODUCTION**

3       **A.     Witness Identification**

5       **Q:**     Please state your name?

6       **A:**     **Terry Lynn Traster.**

7       **Q:**     Please state your current address of residence?

8       **A:**     **706 East 2700 North Road, Moweaqua, Illinois, 62550.**

9       **Q:**     Have you intervened in this docket?

10      **A:**     **Yes. I petitioned to intervene on April 9, 2015.**

11      **Q:**     What properties or property rights does ATXI Transmission Company of Illinois  
12    (“ATXI”) seek to take from you?

13      **A:**     **ATXI is petitioning the Commission to take a portion of land belonging to**  
14   **me, commonly referred to by ATXI as A\_ILRP\_PZ\_SH\_207. A true, correct and accurate**  
15   **picture depicting these properties and ATXI’s proposed route was provided in ATXI’s**  
16   **Landowner Specific Narrative Summary, Exhibit 2.3 Part T (Rev.)**

18      **B.   Itemized Exhibits to Direct Testimony**

20      **Q:**     Are you sponsoring any exhibits to your testimony?

21      **A:**     **Yes. The following exhibits are attached to my testimony:**

22      **Traster Exhibit 1.01—Redacted Copy of Appraisal for the property;**

23      **Traster Exhibit 1.02—Redacted ATXI Initial Offer for the property;**

24      **Traster Exhibit 1.03 – Picture of single tree**

25      **Traster Exhibit 1.04 – Picture of trees separating pond from highway**

26      **Traster Exhibit 1.05 – Rendering of ATXI re-route of transmission line**

28 **C. Witness Background**

29  
30 Q: What do you do for a living?

31 A: **I am a pharmacist.**

32 Q: Where are you employed?

33 A: **I work at Moweaqua Pharmacy in Moweaqua, Illinois.**

34 Q: How long have you worked there?

35 A: **I have worked there for 13 years, and owned it for 12 of those years.**

36 Q: What is your highest level of education?

37 A: **I have a doctorate of pharmacy.**

38 Q: When you are not working, what do you do for fun?

39 A: **Fishing is my passion. Every minute I'm not working I try to spend fishing**  
40 **at my pond.**

41 Q: Do you have experience in land values in Shelby County?

42 A: **Generally speaking, I do not pay much attention to the land values in the**  
43 **area, as I had no intention of ever selling my property. However, I am aware that my**  
44 **neighbors recently sold their property. Their land is roughly 155 acres, comparable to**  
45 **mine, and it was sold for approximately \$14,000 per acre. ATXI did not factor this recent**  
46 **comparable sale into its offer to me.**

47 Q: Are you familiar with what types of things that drive farmland prices in Shelby  
48 County?

49 A: **I am aware that the value of a piece of land use for growing crops, like some**  
50 **of my property, is dependent largely on the quality of soil. My property contains a very**  
51 **high quality soil and is extremely useful for growing crops. The 5 acres of my land used for**  
52 **growing crops yielded 1,250 bushels of corn this year.**

58 **II. THE PROPERTY**

59  
60 Q: Please describe the property at issue.

61 A: A\_ILRP\_PZ\_SH\_207 consists of 14.21 acres of land with a retention pond in  
62 the southwest corner. The pond is 40 feet deep. The property also contains 5 acres of  
63 tillable land. The 5 acres of land is rented to a farmer who uses it to grow corn. As stated  
64 before, the tillable land on my property is highly desirable to farmers.

65 Between the highway and the pond is a barrier of trees. There are  
66 approximately 150 trees that I planted about 10 years ago. The trees have grown from  
67 about 3 feet in height to over 30 feet. They are Rocky Mountain Austree trees that are  
68 specifically designed to protect against wind. True, correct and accurate pictures depicting  
69 the trees are attached hereto as Traster Exhibit 1.03 and Traster Exhibit 1.04.

70 Q: Why did you purchase this property?

71 A: The property was specifically purchased for use of the pond. I wanted a  
72 place where I could go to relax after a stressful week at work and that is primarily what I  
73 use the land for. My plan is eventually to build a home on the acreage surrounding the  
74 pond, but if ATXI is allowed to remove the trees the land will have little value to me.

75 Q: Is the pond only used for recreational fishing?

76 A: I also use the pond to research my new recipe for fish bait. I use the pond to  
77 run controlled tests with different formulas. I am attempting to obtain a patent for my fish  
78 bait recipe. I have spent quite a bit of money and time attempting to perfect it, and being  
79 able to fish at my pond is necessary if I want to accomplish my goals. The trees serve as a  
80 wind break, which allows me to control the feeding cycle for the fish in the pond.

81 Q: Do you believe the Commission should grant ATXI the power to proceed to  
82 circuit court to take a section of your property?

83 A: No.

84 Q: Why not?

85 A: ATXI has not made a good faith offer for the property that reflects its unique  
86 nature and purpose.

87 Q: How has ATXI's offer failed to reflect the unique nature and purpose of the  
88 property?

89 A: **ATXI produced an incomplete appraisal with inaccuracies.**

90 Q: Describe the appraisal ATXI produced.

91 A: **ATXI produced an appraisal that calculated an estimated value of the entire  
92 land at a price per acre. The appraisal offers the difference between the current estimated  
93 value and the estimated value after the easement is taken from the property. A true,  
94 correct and accurate copy of the appraisal ATXI provided is attached hereto as Traster  
95 Exhibit 1.01. The appraisal is incomplete because it does not account for the replacement  
96 value of the trees or any value for the destruction of trees.**

97 Q: Do the trees on your property serve a specific function?

98 A: **Yes. A fisherman's worst enemy is the wind. The trees serve many  
99 purposes, but most importantly to me they act as a wind break, allowing me to fish in the  
100 pond. The trees also act as a visual, pollution, and noise break from the nearby highway.  
101 The trees also help curtail soil erosion and increase the water quality of the pond.**

102 **The trees are the only barrier between the busy highway and my property. Right  
103 now, the trees block the noise and sight of cars. Without them, I will hear every truck  
104 passing by.**

105 **The trees also ensure a high water quality for the fish to thrive. Without the trees,  
106 the soil will start to crumble, which will lead to more sediment in the pond. The sediment  
107 can clog fish gills and generally has a negative impact on the fishes' habitat.**

108 Q: Will the lack of trees affect the crop production of your land?

109 A: **Yes. Trees are important for my property because of they serve as a wind  
110 break and as an erosion control barrier. They also benefit the agricultural component of  
111 my property. Without the trees acting as a wind break to protect seed, crops, and water  
112 sources, my agricultural yields will diminish. ATXI did not place any value or offer any  
113 compensation for the loss of the trees as it relates to the impact on my farming operations.**

114 Q: Do you have any other concerns about the destruction of the trees on your  
115 property?

116           **A:     The trees provide a much needed private setting for me and my family.**  
117 **Without the trees, everyone passing by on the highway will be able to see what we are**  
118 **doing. I am worried about trespassers who see the size and amount of fish we catch, and I**  
119 **need a private setting to protect my proprietary interest while I work to perfect my fish**  
120 **bait recipe.**

121           Q:     Are large, mature trees, serving as a barrier, necessary to maintain the current  
122 value of your property?

123           **A:     Yes.**

124           Q:     Did you obtain an estimate to replace the trees?

125           **A:     Yes. Mr. Stephen Parker, with Heartland Forestry, completed an estimate**  
126 **that would replace the current trees with the best replacement species.**

127           Q:     What kind of education does Mr. Parker have?

128           **A:     He has a master's degree in forestry.**

129           Q:     Did any appraiser hired by ATXI visit your property to inspect it?

130           **A:     I met with a representative from Contract Land Staffing. He is not an**  
131 **appraiser.**

132           Q:     Did any appraiser hired by ATXI speak with you about the property?

133           **A:     No appraiser spoke to me directly about my property. When I spoke to the**  
134 **Contract Land Staffing Representative, I explained to him the importance of the trees, but**  
135 **it was not reflected in the appraisal or offer.**

136           Q:     Did the appraisal factor any damage to the remainder?

137           **A:     No. the appraisal did not include any damage to the remainder and ATXI's**  
138 **initial offer did not include any damage to the remainder. A copy of ATXI's initial offer is**  
139 **attached hereto as Traster Exhibit 1.02.**

140           Q:     Do you believe ATXI made a good faith offer for your property?

141           **A:     No. I do not believe that ATXI has made a good faith offer for the property**  
142 **because of flaws in the appraisal.**

143           Q:     Do you have any other concerns regarding the appraisal ATXI has used to  
144 determine valuation?

145           **A:     Yes. The date of the appraisal is April 29, 2014. Thus, the appraisal is almost**  
146 **a year old. There have been numerous real estate transactions in the area since ATXI**  
147 **provided me the appraisal. I believe the appraisal is stale and that ATXI's offer is not**  
148 **based on current market values.**

149           Q:     Has ATXI provided you an alternate route for you to consider.

150           **A:     Amanda Sloan [what is Amanda Sloan] informed me that if I obtained the**  
151 **consent of the landowners on either side of my property, that ATXI would consider a re-**  
152 **route of the transmission line to avoid my trees. I expended a great deal of time to obtain**  
153 **the consent of my neighbors for a re-route, which they ultimately granted.**

154           Q:     Has ATXI presented you a transmission line re-route for your consideration?

155           **A:     Yes. A copy of the re-route ATXI presented me is attached hereto as Traster**  
156 **Exhibit 1.05.**

157           Q:     Does ATXI's proposed re-route eliminate your concerns regarding the impact of  
158 the transmission line on your trees.

159           **A:     Yes. The re-route avoid the possibility of ATXI having to destroy any of the**  
160 **trees.**

161           Q:     What impediments, if any, have prevented you from closing on an easement  
162 agreement?

163           A:     I have not received a written offer from ATXI showing how much it would offer  
164 me for the re-route. It is my understanding that ATXI is in the process of mapping the re-route to  
165 determine the total acreage impacted by the transmission line. At the time of submitted this direct  
166 testimony, I do not know how much acreage will be impacted or the compensation ATXI is  
167 willing to pay for the right-of-way.

168           Q:     Do you believe you are responsible in ATXI's failure to provide you an offer for  
169 the re-route.

170           **A:     I have provided all of the information I have available to ATXI and have**  
171 **attempted to promptly return the calls of ATXI's representatives.**

172           Q:     Do you believe further negotiations will be useful?

173           **A:     Yes. First, I do not currently have before me an offer for the re-route by**  
174 **which I could accept. Second, I believe further negotiations will be useful if ATXI uses an**

175    **appraisal that accurately depicts the unique features of the property and if ATXI makes an**  
176    **offer based on the same.**

177    **III.    CONCLUSION**

178

179            **Q:**    Do you believe the Commission should grant ATXI's Petition?

180            **A:**    **No, at least as it relates to my property. I believe further negotiations as**  
181    **outlined above would result in a compromise.**

182            **Q:**    Does this conclude your testimony?

183            **A:**    **Yes.**